

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 20

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

**MAILED**

Ex parte SEIRO YAHATA, TAKANORI ENDO,  
MASAMI MIYAKI and TAKASHI TSUCHIDA

**FEB 12 2001**

Appeal No. 2000-1696  
Application No. 08/701,457

**PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES**

ORDER DISMISSING APPEAL

Before STONER, Chief Administrative Patent Judge, HARKCOM, Vice Chief Administrative Patent Judge, and WILLIAM F. SMITH, Administrative Patent Judge.

PER CURIAM

On December 21, 1998, applicants filed a Notice of Appeal (Paper No. 13). On December 28, 2000, applicants filed a "CONTINUED PROSECUTION APPLICATION (CPA) under 37 CFR § 1.53(d)" (Paper No. 19).

Accordingly, it is

ORDERED that the appeal filed December 21, 1998 is dismissed.

Appeal No. 2000-1696  
Application 08/702,457

The application is being returned to the examiner for further action as may be appropriate.

*Bruce H. Stoner*  
BRUCE H. STONER, JR., Chief  
Administrative Patent Judge

*Gary V. Harkcom*  
GARY V. HARKCOM, Vice Chief  
Administrative Patent Judge

*William F. Smith*  
WILLIAM F. SMITH  
Administrative Patent Judge

)  
) BOARD OF PATENT  
)  
) APPEALS AND  
)  
) INTERFERENCES  
)

Appeal No. 2000-1696  
Application 08/702,457

ARMSTONG, WESTERMAN, HATTORI, McLELLAND  
AND NAUGHTON  
1725 K STREET, N.W., SUITE 1000  
WASHINGTON, DC 20006

CAW